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RECENT CASES.

RAILROADS.

Railroads—Intersection.—*Carolina Cent. R. Co. v. Wilmington St. Ry. Co.*, 26 S. E. Rep. 913 (N. C.) A railroad company, having built a bridge over its tracks, of sufficient strength for travel by foot and horse and ordinary vehicle transportation, is not obliged to render same safe for passage of street railway cars, said passage being an additional servitude and necessitating the contribution by the street railway company to the maintenance thereof.

Street Railroads—Nuisance—Injunction Against—Right of Individuals.—*Central Crosstown Ry. Co. v. Metropolitan St. Ry. Co.*, 44 N. Y. Sup. 752. Although the unauthorized construction and operation of a street railroad in a public street by defendant company is a public nuisance, plaintiff railroad company, which already had a line in operation in the same street, may enjoin the operation of defendant railroad, where it is shown that it will come into competition with plaintiff line, thus causing it special and irreparable damage, the amount thereof not being capable of ascertainment (see Sec. 102 of the Railroad Law). The case is not essentially different from *Forty-Second Street R. Co. v. Thirty-Fourth St. R. R. Co.*, 52 N. Y. Super. Ct. 252, where the action was brought previous to the construction of defendant's road.

Street Railroads—Paralleling Railroad—Ultra Vires.—*New England R. R. Co. v. Central Railway and Electric Company, et al.*, 36 Atl. Rep. 1061 (Conn.) A railroad company which does not have an exclusive franchise is not injured in any of its legal or equitable rights by the construction of a street railway parallel to its lines even though such street-railway is to be constructed by *ultra vires* acts.

Additional Servitude—Occupation of Streets by Railroads.—*Chicago & N. W. Ry. Co. v. Milwaukee, R. & K. Electric Ry. Co.*, 70 N. W. Rep. 678 (Wis.). Upon an application for an injunction against a street railway it was held that a commercial railway upon public streets and highways which engaged to carry besides passengers, merchandise, personal baggage, mail and express matter,